

CHAPTER 13 PLAN

Case No. 12-40924-JJR13

Debtor(s): TERRY JOE LINDSEY SS# XXX-XX-3137 Net Monthly Earnings: _____

- I. Plan Payments:
☒ Debtor propose to pay a periodic payment of \$ 300.00 ☐ weekly ☐ biweekly ☐ semi-monthly ☒ monthly into the plan.

Length of plan is 60 months, and the total debt to be paid through the plan is \$ 18,000.00.

- II. From the payments received, the trustee shall make disbursements pursuant to the Bankruptcy Code including:

- A. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES AND SUPPORT) [See §1322(a)(2)].

The following priority claims, if allowed, will be paid in full unless creditor agrees otherwise:

Creditor	Type of Priority	Scheduled Amount	Monthly Payment
NONE			

- B. Total Attorney Fee: \$ 2,500.00 ; \$ -0- paid pre-petition; balance to be paid as funds become available

- C. The holder of each SECURED CLAIM shall retain the lien securing such claim until a discharge is granted and such claim shall be paid in full with interest in deferred cash payments as follows:

1. Long Term Debts:

Name of Creditor	Total Amount of Debt	Amount of regular pmt. to be paid	Regular Pmts. to begin: Mo./ Yr	Arrears to be paid by Trustee	Months included in arrearage amount	Proposed Interest Rate on arrearage	Proposed Fixed payment on Arrearage
		\$ <u>785.00</u>					
		<input type="checkbox"/> by Trustee					
Wells Fargo Mortgage	59,479.00	<input checked="" type="checkbox"/> by Debtor	06/12	5,900.00	7.5 months	none	101.72

2. Secured Debts (not long term) to be paid through Trustee:

Name of Creditor	Adequate Protection Payment	Total Amount of Debt	Debtor's Value	Unsecured Portion	Description of Collateral	Proposed Interest Rate	Proposed Fixed Payments	Fixed Payment to Begin
NONE								

- III Other debts (not shown in 1 or 2 above) which Debtor(s) propose to pay direct:

Name of Creditor	Total Amt. of Debt	Amount of Regular Payment	Description of Collateral Property or Debt	Reason for Direct Payment
NONE				

- IV Special Provisions:

☒ This is an Original Plan.

☐ This is an amended plan replacing plan dated _____.

☒ This plan proposes to pay unsecured creditors approximately 15 %.

☐ Debtor ☐ assumes ☐ rejects lease and/or executory contract with _____.

☐ Other provisions: (A). There is no equity in Debtor's residence in excess of the first mortgage payoff. The Debtor will file an adversary proceeding to have the second mortgage claim held by GMAC Mortgage declared to be wholly unsecured, with GMAC Mortgage to be allowed an unsecured claim.

Attorney for Debtor Name/Address/Phone#

Robert D. McWhorter, Jr.

Post Office Drawer 287

Gadsden, Alabama 35902

256-546-1656

Fax 256-546-1093

Dated: May 29, 2012

/s/ Terry Joe Lindsey

Terry Joe Lindsey - Debtor

/s/ Robert D. McWhorter, Jr.

Robert D. McWhorter, Jr. - Attorney for Debtor

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing Chapter 13 Plan has been served on the Chapter 13 Trustee and all creditors and parties in interest as shown on the attached mailing matrix, by placing said copies in the U.S. Mails, properly addressed, with sufficient postage affixed, First Class, this 29th day of May, 2012.

Robert D. McWhorter, Jr.
Attorney for Terry Joe Lindsey

Bar No. ASB-0261-M68R

OF COUNSEL:

Inzer, Haney & McWhorter, P.A.
Post Office Drawer 287
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256-546-1656

Label Matrix for local noticing
1126-1
Case 12-40924-JJR13
NORTHERN DISTRICT OF ALABAMA
Anniston
Tue May 29 15:11:41 CDT 2012

Asset Acceptance LLC
P O Box 2036
Warren MI 48090-2036

FNMA
c/o Dyck-O'Neal Inc
P O Box 13370
Arlington TX 76094-0370

Wells Fargo Bank N A
1 Home Campus - Bankruptcy
MAC#X2302-04C
Des Moines IA 50328-0001

Robert D McWhorter Jr
Post Office Drawer 287
Gadsden, AL 35902-0287

Wells Fargo Bank, N.A.
c/o Thomas G. Tutton, Jr.
PO Box 55887
Birmingham, AL 35255 5887

Capital One
P O Box 30281
Salt Lake City UT 84130-0281

GMAC Mortgage
ATTN Bankruptcy Dept
1100 Virginia Drive
Fort Washington PA 19034-3204

Wells Fargo Home Mortgage
P O Box 10335
Des Moines IA 50306-0335

Terry Joe Lindsey
101 Kay Street
Centre, AL 35960-1526

U. S. Bankruptcy Court
1129 Noble Street, Room 117
Anniston, AL 36201-4674

Cherokee Medical Center
c/o PASI
P O Box 188
Brentwood TN 37024-0188

GMAC Mortgage LLC
P O Box 4622
Waterloo IA 50704-4622

Linda Baker Gore
NON-PAYMENTS: P.O. Box 1338
Gadsden, AL 35902

End of Label Matrix
Mailable recipients 13
Bypassed recipients 0
Total 13